

## **REMARKS**

Typographical errors were noted in the paragraph bridging pages 3 and 4 of the present specification, which have been corrected. Additionally, an editorial change in the paragraph beginning at page 4, line 15 of the present specification has been made to improve the clarity thereof.

Each of independent claims 1, 6 and 7 has been amended to make clear that the carbon dioxide absorber occupies only a portion of the cross-sectional area of the tube in which it is disposed, and further to state that the absorber has a surface that faces the gas flow, allowing interaction of the absorber with the gas flow to absorb carbon dioxide therefrom, while presenting substantially no impediment to the gas flowing through the aforementioned cross-section of the tube.

In the October 4, 2005 Office Action, claim 1 as originally filed and claims 3-4 depending therefrom were rejected under 35 U.S.C. §102(b) as being anticipated by European Patent Application 0 238 463 (Ekholmer). Claim 5 was rejected under 35 U.S.C. §103(a) as being unpatentable over Ekholmer in view of Werjefertl. Claims 6 and 7 as originally filed were rejected under 35 U.S.C. §102(b) as being anticipated by Psaros et al.

In view of the aforementioned amendments to independent claims 1, 6 and 7, Applicant respectfully submits that none of those claims is anticipated by the references cited by the Examiner.

With regard to independent claim 1, the Ekholmer reference discloses a tube or hose 1 that is at least partly filled with an absorption mass 4, that includes material defined as "a carbon dioxide absorbing stuff" in granular

form. As described in the paragraph beginning at page 3, line 20 of the Ekholmer reference, the hose contains an absorption mass 4 which consists of a compound of granules 5 of CO<sub>2</sub> absorbing material, and small parts 6 formed of foam plastic with opened pores. Despite the aforementioned statement in the abstract that the hose 1 is "at least partly filled" with such an absorption mass, it is clear that the mass 4 occupies the entirety of the cross-section of the hose, but can be stated to "at least partly fill" that cross-section by virtue of being porous. Moreover, the CO<sub>2</sub> absorbing action is achieved by the aforementioned granules 5, which are interspersed throughout the mass 4. Therefore, there is no "surface" of the carbon dioxide absorber that faces the gas flow as set forth in amended claim 1. Each granule 5 in the Ekholmer reference is completely disposed in the gas flow.

The Ekholmer reference, therefore, does not anticipate amended claim 1. Moreover, as to claims 3 and 4, it is clear that the Ekholmer reference does not disclose an absorber having a substantially hollow cylindrical shape. As noted above, the absorber in the Ekholmer reference is formed by the granules 6, which are individually spherical and which collectively do not have any definable shape.

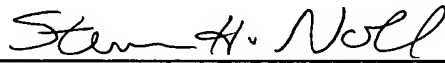
Claim 1 and all claims depending therefrom, therefore, are not anticipated by Ekholmer.

As to claims 6 and 7, it is clear that the absorbers 8 and 5 do not allow unimpeded gas flow therethrough, but by contrast represent a significant impediment to gas flow, as described in the introductory portion of the present specification wherein the Psaros et al reference is one of the prior art

references that is specifically discussed. Neither of claims 6 and 7, therefore, is anticipated by Psaros et al.

All claims of the application are therefore submitted to be in condition for allowance, and early reconsideration of the application is respectfully requested.

Submitted by,



(Reg. 28,982)

---

SCHIFF, HARDIN LLP  
**CUSTOMER NO. 26574**  
Patent Department  
6600 Sears Tower  
233 South Wacker Drive  
Chicago, Illinois 60606  
Telephone: 312/258-5790  
Attorneys for Applicants.

CHI\4426319.1